

Appl. No. 10/767,329  
Amdt. dated March 1, 2006  
Reply to Office action of January 12, 2006

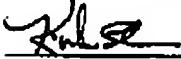
REMARKS

Rejection of the claims under 35 USC §112:

Claims 1-8 and 21-24 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Action states that the term "polypeptide-surfactant complex" is supported in the text, but that the more narrow term "polypeptide-detergent complex" is not. The Examiner is correct in stating that the term used throughout the disclosure is polypeptide-surfactant complex. However, Applicants have defined surfactant as "a surface active agent, such as a detergent or a lipid," on page 13 line 28. Therefore, "polypeptide-surfactant complex," as used in the disclosure, would readily be recognized as comprising "polypeptide-lipid complex" or "polypeptide-detergent complex." Applicants have also defined detergent, page 14 lines 3-5, as "compounds that are soluble in water and cause nonpolar substances to go into solution in water. Detergents have both hydrophobic and hydrophilic groups". In the examples, Applicants have disclosed non-covalent polypeptide-detergent complexes using the following detergents: cetylpyridinium bromide (CPB), cetyltrimethylammonium bromide (CTAB), dodecylpyridinium chloride (DPC), Dodecyldimethylammonium bromide (DDAB), dodecytrimethylammonium (DAB), cetyltrimethylhexylammonium bromide (CDAB), TOPPS, and 2-decyl-1,4,7,10,13,16 hexaoxacyclooctadecane (MK10).

The Examiner's objections and rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 1-8 and 21-24 should be allowable.

Respectfully submitted,

  
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: March 1, 2006.

  
Kirk Ekena